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REMARKS

This Amendment is submitted in Response to the outstanding final Office Action dated August 5, 2004, and pursuant to a telephone interview conducted with the Examiner on October 13, 2004.

The undersigned and the Applicant appreciates the courtesies extended by the Examiner during the telephone interview referenced above. During the interview, the Babson reference (U.S. Patent No. 1 329 452) was discussed, as well as Claim 1. Arguments were presented by the undersigned that the duct 11 in Babson would not operate as intended if same were flexible, due to the interaction of the detent ball 35 with the external ridges in duct 11. It was also argued that the duct 11 of Babson does not have a flexibility which increases towards a middle of the duct 11, as recited in Claims 1 and 17.

Essentially, the Examiner was of the opinion that the Babson duct 11 was inherently flexible, and that some specific structure of the instant milk hose which provides the recited flexibility to the hose would need to be added to the claims in order to distinguish over Babson. In this regard, amending Claim 1 to recite that the axial dimensions of the reinforcement elements (i.e. elevations 14) located in the middle of the center piece 11 have smaller axial dimensions than the reinforcement elements located at the end portions 9 and 10 was then discussed with the Examiner, along with the passage on page 8 of the instant specification which provides support for the above. The Examiner indicated that Babson does not teach this structure, and that the drawings should be amended to clearly show same. The Examiner also stated that the hose structures recited in dependent Claims 12 and 13 (presently withdrawn from consideration) distinguish over the art of record, and that a divisional application could be filed in order to pursue these embodiments.

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No formal agreement was reached during the interview. However, the Examiner encouraged the submission of a written response to allow further consideration of the above issues.

In summary, withdrawn Claims 5, 12-16, 18 and 24-28 are cancelled herein in order to expedite prosecution. Claims 1, 7, 17, 20, 21, 30 and 32 are amended herein. Claims 1 and 17 are amended pursuant to the discussion with the Examiner during the interview. Further, submitted herewith is a replacement drawing sheet containing an amended Figure 2, and a further sheet containing new Figure 2a. Figure 2a is a detail view of Figure 2, and Figure 2 is amended only to specify an area of the milk hose detailed in Figure 2a. Also submitted is an "Explanatory Figure" consisting of a marked-up copy of Figure 2 as originally filed, as discussed below. The specification is amended herein.

The amendments rendered herein to Claims 1 and 17, the amendments to the specification on page 8, and the addition of new Figure 2a are believed to be supported by the application as originally filed. More specifically, the specification on page 8, lines 5-7 as originally filed states that "the respective elevations in the middle of the centre piece 11 have smaller axial dimensions than the elevations in the end portions 10 and 9 of the centre piece". The different axial dimensions of the elevations 14 is shown in Figure 2 as originally filed, as indicated on the marked-up Explanatory Figure submitted herewith. More specifically, the elevations 14 located near the middle of the hose clearly have a smaller axial dimension than the outer elevations 14 located at or adjacent the end portions 9 and 10 of the hose. Accordingly, the amendment of the word "in" to "at" in the above passage of the specification is supported by Figure 2 as originally filed, and the addition of Figure 2a to the application is supported by the specification and Figure 2 as originally filed.

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Referring to the Office Action, the specification is also amended to provide clear antecedent basis for "reinforcement members", in response to the Examiner's objection. Further, the specification is also amended herein to provide clear antecedent basis for "reinforcement elements".

Claims 1, 6, 7, 9, 11, 17, 19-21, 23, 24, 30, 32, 34 and 35 stand rejected as anticipated by Babson. As discussed during the interview with the Examiner, Babson does not teach that the duct 11 is flexible, and thus certainly does not teach that the duct 11 has a flexibility which increases towards a middle thereof. Further, even if, for the sake of argument, Babson's duct 11 were flexible, it is submitted that the ball 35 would not seat correctly between the ridges of duct 11. Further, independent Claims 1 and 17 are amended herein to recite that the reinforcement elements in the middle of the centre piece have smaller axial dimensions than the reinforcement elements located at the first and second end portions to provide the centre piece with a greater flexibility than the first and second end portions, the flexibility increasing towards the middle of the centre piece. Babson does not teach or suggest such a structure of the duct 11. In Babson, the ridges or corrugations are of a uniform axial dimension.

In view of the above, Claims 1 and 17, and the claims which depend therefrom, are believed to patentably distinguish over Babson.

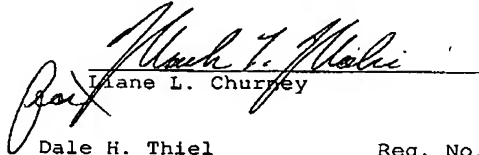
Claims 29 and 31 stand rejected as obvious over Babson and Heimberger (U.S. Patent No. 5 125 909). Claims 29 and 31 depend from allowable Claims 17 and 1, respectively, and are believed allowable by virtue of this dependence. Further, these claims include additional subject matter which is believed to further distinguish over the above references.

In view of the above, the instant application is believed to be in condition for allowance, and action toward that end

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is respectfully requested. The Examiner is encouraged to contact the undersigned by telephone to resolve any further issues.

Respectfully submitted,


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Encl: Replacement Drawing Sheets 1-5
Explanatory Figure

136.05/04